

**UNITED STATE DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

TQP DEVELOPMENT, LLC

Plaintiff,

v.

DELL, INC., et al.

Defendants.

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Civil Action No. 2:10-CV-446-TJW

**NOTICE OF VOLUNTARY DISMISSAL OF LOWE'S HIW INC.**

Please take notice that, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), Plaintiff TQP Development, LLC voluntarily dismisses Defendant Lowe's HIW Inc. without prejudice, the opposing party having served neither an answer nor a motion for summary judgment.

Dated: January 27, 2011

Respectfully submitted,

By: /s/ Andrew W. Spangler

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LOCAL ATTORNEY FOR TQP  
DEVELOPMENT, LLC

**CERTIFICATE OF SERVICE**

I hereby certify that counsel of record who are deemed to have consented to electronic service are being served this 27th day of January, 2011, with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3). Any other counsel of record will be served by electronic mail, facsimile transmission and/or first class mail on this same date.

/s/ Andrew W. Spangler

Andrew W. Spangler